

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF NEW MEXICO**

Amended Petition for Revocation of Supervised Release

Name of Offender: Carlandrew Rolando Eriacho
Docket Number: 1084 1:18CR04166 -001JB
Assigned Judge: Honorable James O. Browning, United States District Judge
Date of Original Sentence: 2019-06-13
Original Offense: 18 U.S.C. 1112: Crime in Indian Country: Involuntary Manslaughter
Original Sentence: BOP: 37 Months; TSR: 36 Months
Date Supervision: 03/14/2022
Recommended:
Date Supervision Expires: 03/13/2023
Other Court Action: 07/23/2021: Memorandum filed requesting the offender's residential reentry condition be suspended. Court action still pending.

09/27/2021: A Petition for Revocation with Warrant was filed after the offender failed to successfully complete a residential reentry center (RRC), absconded and failed to refrain from alcohol use. On March 2, 2022, the offender's supervision was revoked, and he was sentenced to five months custody with 12 months of TSR to follow.

06/28/2022: A Report on Offender Under Supervision was filed due to the offender providing a positive test for alcohol at the RRC. On July 11, 2022, the Court ordered no action.

07/12/2022: A Petition for Revocation with summons was filed after the offender failed to successfully complete a residential reentry center (RRC). On July 26, 2022, the offender appeared for his Initial Appearance and was continued on previously imposed conditions pending his Revocation Hearing, which has been set for October 20, 2022.

PETITIONING THE COURT

To issue a warrant.

U.S. Probation Officer of the Court, Karina L Villalobos, alleges the defendant has violated the following condition(s) of supervised release.

Violation Type Nature of Noncompliance

SPC You must reside in a residential reentry center for a term of four (4) months. You must follow the rules and regulations of the center.

On July 6, 2022, the United States Probation Office received notification the offender was unsuccessfully terminated from Diersen Charities Residential Reentry Center (RRC) in Albuquerque, NM. The offender was placed on a Zero Tolerance Contract on June 24, 2022, after providing a positive test for alcohol. On July 6, 2022, the assistant director indicated the offender was found to have an unauthorized cell phone, loose razor blades and admitted to taking Suboxone at his place of employment. As a result, of him violating his Zero Tolerance Contract; he was unsuccessfully terminated from the RRC.

AMENDED
VIOLATIONS
MC

You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.

On June 20, 2022, the offender provided a positive urine sample for amphetamines. The urine sample was submitted to Abbott Toxicology for confirmation and results yielded positive for D-methamphetamines. The offender admitted to his United States Probation Officer he was abusing illegal substances on several occasions while at the residential reentry center.

On September 22, 2022, during a home visit, the offender admitted to his United States Probation Officer he has been abusing marijuana. Moreover, he last smoked marijuana on Monday, September 19, 2022.

SPC

You must not use or possess alcohol. You may be required to submit to alcohol testing that may include urine testing, a remote alcohol testing system, and/or an alcohol monitoring technology program to determine if you have used alcohol. Testing shall not exceed more than 4 test(s) per day. You must not attempt to obstruct or tamper with the testing methods. You may be required to pay all, or a portion, of the costs of the testing.

On September 17, 2022, the offender provided a positive urine sample for ethyl glucuronide, which is indicative for alcohol consumption. On September 22, 2022, the offender admitted to his United States Probation Officer he has been consuming alcohol. He indicated he last used alcohol on Monday, September 19, 2022.

The maximum statutory penalty: 24 months imprisonment; 31 months supervised release. Underlying Offense is a Class D Felony.

The revocation range of imprisonment: 5 to 11 months. Criminal History Category III. Grade C Violation.

I declare under penalty of perjury that the foregoing is true and correct.
Executed on 07/07/2022.

Submitted:

Approved:

☒ Email Approval



Karina L Villalobos
U.S. Probation Officer
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Kyle Nayback
(505) 346-6899
Assistant U.S. Attorney

Date: 09/22/2022